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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Aurelio Cazales-Leon** Defendant.	Magistrate Case No. '08 MJ 0591 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about, **February 15, 2008**, within the Southern District of California, defendant, **CAZALES-Leon, Aurelio**, an alien who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Patrick E. Amos
SIGNATURE OF COMPLAINANT
Patrick E. Amos, Immigration Enforcement Agent,
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **28th** DAY OF **February 2008.**

[signature]
UNITED STATES MAGISTRATE JUDGE

Scf

CONTINUATION OF COMPLAINT:
NAME: CAZALES-Leon, Aurelio

PROBABLE CAUSE STATEMENT

On or about January 08, 2007 the defendant, identified as Cazales-Leon, Aurelio, arrested by the West Covina Police Department in violation of Penal Code 487(A), "Grand Theft: ; and Penal Code 182(A)(1), "Conspiracy: Commit Crime", and booked into Los Angeles County Jail. After having been sentenced for the violations the defendant was referred to the Centinela State Prison where an Immigration Enforcement Agent with Immigration and Customs Enforcement determined the defendant to be a citizen of Mexico, placed a Form I-247 "Immigration Detainer" pending his release. On Wednesday February 27, 2008, the defendant was referred to Immigration and Customs Enforcement custody. Subsequently, Immigration Enforcement Agent Patrick Amos reviewed various sources of information and conducted official record checks in regards to the defendant confirming him to be a citizen of Mexico having been previously removed from the United States.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States by an Immigration Judge on May 04, 2005, and physically removed to Mexico on May 06, 2005, via the San Ysidro Port of Entry. Furthermore, that the defendant was ordered removed from the United States by an Immigration Judge on about June 29, 2004 and physically removed to Mexico on June 30, 2004 via the San Ysidro Port of Entry. Record checks also indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System "IDENT" was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed the defendant's identity as Aurelio CAZALES-Leon, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.

All information indicates that the defendant is a citizen of Mexico having been previously removed and has no legal right to enter or reside in the United States.

Based upon the foregoing information, there is probable cause to believe that Aurelio Cazales-Leon has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.